



CRL OP(MD). No.16329 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 26/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
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1.Kavitha
2.Pandiarajan
3.Kumaresan @ Kumar
4.Rajalakshmi

... Petitioners / Accused Nos.1 to 4

Vs

1.State represented by
The Inspector of Police,
Dindigul South Police Station,
Dindigul District.
Crime No.198 of 2023.

... Respondent / Complainant

2.Vijayalakshmi

...Petitioner/Intervener

For Petitioners : M/s.C.Susi Kumar, Advocate

For Respondent : Mr.R.Suresh Kumar
Government Advocate (Crl.Side)

For Intervener : Mr.Mohamed Riyaz, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.198 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 506(ii) of IPC



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read with Section and 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 1998 in Crime No.198 of 2023, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the on 31.08.2023 at about 4.30 p.m., the accused persons, over business rival, damaged her shop. When that was questioned, she was criminally intimidated and attempted to cause assault. That was prevented by the defacto complainant's brother Balakrishnan who is an advocate by profession. He was assaulted and caused severe injuries. The defacto complainant was also assaulted. After making criminal intimidations, the accused went away from that place. Seeking anticipatory bail this petition has been filed by the petitioners, who are arrayed as accused.

3.Heard the learned counsel for the intervener.

4.Learned counsel for the intervener would submit that serious injury has been caused to the intervener and he was taking treatment for sometime in the Government Hospital and later shifted to private hospital and he suffered serious injury that too fracture injury on the spinal cord region. On that account he made

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strong objection for granting anticipatory bail to the petitioners.

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5. When the matter was heard on the earlier occasion, the investigation officer was present before this Court and was heard. He stated on enquiry that the injured namely Balakrishnan though taken to the Government Medical College Hospital, Dindigul, he refused to admit himself as inpatient. He was treated as outpatient and the nature of injury could not be ascertained. At the time of admission, he stated that he suffered pain on the lower back region. He was advised to admit in the hospital but refused. The intervener also produced a treatment certificate from the private hospital stating that he suffered fracture on the spinal cord region. The respondent is present and stated that exaggerating the facts the present complaint has been given.

6. Considering the fact that the injured has not co-operated for proper treatment and find that it is a issue between neighbours over business rivals, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.1, Dindigul, on condition that the petitioners shall



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execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
26/09/2023

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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn

TO

1.THE JUDICIAL MAGISTRATE NO.1, DINDIGUL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.



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3. THE INSPECTOR OF POLICE,
DINDIGUL SOUTH POLICE STATION,
DINDIGUL DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.16329 of 2023
Date :26/09/2023

RK /DD(11/10/2023) 5P /5C

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